

NOTICE OF PUBLIC HEARING

BY: Common Council
City of Brookfield

DATE: April 6, 2010

TIME: 7:45 p.m.

PLACE: Council Chambers
Brookfield City Hall
2000 N. Calhoun Road
Brookfield, WI 53005

RECEIVED

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CITY OF WEST ALLIS
CLERK/TREASURER

APPLICANT: City of Brookfield
Dept. of Community Development
2000 N. Calhoun Rd.
Brookfield, WI 53005

REQUEST: To amend "Plan Amendments" section of the *2035 Comprehensive Plan of the City of Brookfield* (hereafter "*the Plan*") and establishing the written procedures regarding the public input process associated with Plan Amendments. Pages 142 and 143 of the Plan, which was adopted by Ordinance 2193-09, are proposed to be amended as follows (amendments shown in italics). The entirety of this section of the Plan would be replaced by the following text:

Plan Amendments

This Plan can be amended. Amendments may be appropriate in the years following initial plan adoption, particularly in instances where the Plan has become irrelevant or contradictory to emerging policy or trends, or does not provide specific advice or guidance on an emerging issue. *Amendments will also be necessary where rezoning recommendations are desired or necessary to implement the Plan or due to the nuances associated with the details of zoning, such as the application of the "MSO" Modified Suburban Overlay zoning district in Brookfield.* "Amendments" are generally defined as minor changes to the Plan maps or text—as opposed to an "update", which is described later in the chapter.


Over the planning period, the City is likely to receive and wish to entertain requests for Plan amendments. The Plan should be evaluated for potential amendments regularly. The state comprehensive planning law requires that the City use the same basic process to amend this Comprehensive Plan as is used to initially adopt the Plan. This does not mean that new surveys need to be administered or old committees need to be reformed. It does mean that the following procedures defined under Section 66.1001(4), Wisconsin Statutes, need to be followed. *Resolution _____ establishes the following procedures for Plan Amendments which are intended to meet the requirements of s 66.1001 (4) (a).* :

- *An amendment process begins with the Plan Commission and the Council authorizing a public hearing and publication of a notice thereof.*
- *The Plan Commission, at its option, may recommend that a public information meeting be scheduled by city staff to be held prior to the public hearing for the purposes of the explaining the proposed amendment and for sharing maps and other information relative to the proposed amendment. No formal procedures or notice requirements are established for the conduct of this public information meeting. Generally, city staff will invite property owners to this public information meeting if such owners would also receive a notice of the public hearing by being located within a geographic notification area of a rezoning or other zoning action.*
- *The public hearing will be scheduled before the Common Council.*
- *The public hearing associated with any rezoning, zoning text amendment, official map amendment or subdivision code amendment shall serve the notice requirement of s. 66.1001 (4)(d).*
- *The public hearing will be noticed by a Class II notice the first publication of which will be published at least 30 days prior to the public hearing. The second notice shall be published a week after the first. The first notice will be considered the Class I notice under the requirements of s.66.1001 (4) (d).*

- *The hearing notice shall contain the date, time and place of the hearing, a summary of the proposed amendment including map if applicable, the name of the City staff person who can answer information relative to the proposed amendment, and the location where information about the proposed amendment can be obtained. This step meets the information requirements of s. 66.1001(4) (d).*
- *The City Clerk shall provide a copy of the public hearing notice and proposed amendment at least 30 days prior to the public hearing to any person who submits a written request to receive notice of any proposed amendment. The City Clerk shall maintain such a list for "interested parties". As of the date of this Resolution there are no "marketable nonmetallic mineral deposits" located within the City of Brookfield so notice to owners of such property is not required. These steps meet the individual notice requirements under s. 66.1001(4) (e). and (f).*
- *The City Clerk will post the notice of public hearing and associated amendment(s) along with any maps and pertinent information at the City Clerks' office for public viewing during normal business hours. At its option, city staff may post the same materials at the City Library, on the city's website and at the City Department of Community Development for viewing.*
- *The Common Council conducts the public hearing and allows for public input and questions to be answered. Typically no action to approve, deny or table the amendment will occur the day of the public hearing.*
- *The Plan Commission will, generally, at the next regular meeting of the Commission after the public hearing discuss the proposed amendment, review any public comment and make a recommendation to the Council regarding the amendment via a majority vote of the Commission in the form of a Resolution that will cite maps and other descriptive materials that relate to one or more elements of the comprehensive plan. This step meets the requirements of s. 66.1001(b).*
- *The Common Council will, generally, at the next regularly scheduled meeting of the Council succeeding the Plan Commission recommendation, approve, deny, table or refer the proposed amendment back to the Plan Commission. If adopted, the Council adoption will be in the form of an Ordinance adopted by the majority vote of the Council except where an Ordinance needs to be adopted by three-fourths of the Council voting on the amendment under the provisions of s. 62.23(7) (d) 2m.*
- *The City Clerk will send a copy of the adopted Ordinance and the amendment to the clerk of the Village of Elm Grove, Village of Butler, Town of Brookfield and Waukesha County, the Southeastern Wisconsin Regional Planning Commission, the Wisconsin Department of Administration and the Brookfield Library. When the proposed amendment affects lands within 1,000 feet of the Village of Menomonee Falls and the cities of Waukesha, New Berlin, Pewaukee, Wauwatosa and West Allis the City Clerk will send the adopted Ordinance and the amendment to the clerk of said municipalities. These steps meet the distribution requirements of s. 66.1001(4) (b) and (c).*

Contact Daniel Ertl, Director of Community Development at 262-796-6695 or development@ci.brookfield.wi.us if you have any questions relative to this proposed amendment.

Dated this 25th day of February, 2010.



 Kristine A. Schmidt, City Clerk lt

Publish: March 4 and March 11, 2010.

Descriptors other than the legal description and zoning designations are for information purposes only.
 * Plans may be viewed in the City Clerk's Office or the Community Development/Planning Office.